

FILED

UNITED STATES COURT OF APPEALS

AUG 08 2008

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

LEON S. SEGEN, derivatively and on  
behalf of Applied Micro Circuits  
Corporation,

Plaintiff - Appellant,

v.

DAVID M. RICKEY; et al.,

Defendants - Appellees.

No. 08-15758

D.C. No. 3:07-CV-02917-MJJ  
Northern District of California,  
San Francisco

ORDER

The parties have stipulated to the dismissal of this appeal under Fed. R. App. P. 42(b). This appeal is dismissed with prejudice. Cost and fees shall be allocated according to the provisions of the stipulation. A copy of this order shall act as and for the mandate of this court.

For the Court:  
MOLLY C. DWYER  
Clerk of the Court:

Cathie A. Gottlieb  
Deputy Clerk  
Ninth Cir. R. 27-7/Advisory Note to Rule 27  
and Ninth Circuit 27-10